

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

MICHAEL DILDAY)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 3:16CV996–HEH
)	
DIRECTV, LLC. <i>et al.</i> ,)	
)	
Defendants.)	


ORDER
(Requiring Briefing on Standing)

THIS MATTER is before the Court on its own initiative. Plaintiff Michael Dilday (“Plaintiff”) brings this action alleging violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq. (*See generally* Compl., ECF No. 1.) On January 27, 2017, Defendant DIRECTV filed an Answer to the Complaint. (ECF No. 10.) As an affirmative defense, DIRECTV asserts that Plaintiff lacks standing to bring this action because he has not suffered a concrete and particularized injury. (*Id.* at ¶ 36.) The Court has concerns about how the United States Supreme Court’s decision in *Spokeo, Inc. v. Robins*, 136 S. Ct. 1540 (2016), affects the issue of standing in this case.

Therefore, the parties are hereby DIRECTED to file legal memoranda addressing Plaintiff’s standing. Defendants shall jointly file an opening brief on or before February 13, 2017. Plaintiff shall file a response brief within fourteen (14) days after service of Defendants’ opening brief. Defendants may file a joint reply brief within six (6) days after service of Plaintiff’s response brief. All briefs shall conform with the requirements of Local Rule 7(F)(3).

The Clerk is DIRECTED to send a copy of this Order to all counsel of record.

It is so ORDERED.



/s/

Henry E. Hudson
United States District Judge

Date: Jan 30 2017
Richmond, VA'